

REMARKS

Claims 1, 3-4, and 6-18 are now pending in this application. Claims 1-6 are rejected. Claims 7-18 are withdrawn. Claims 1 and 6 are currently amended. Claims 2 and 5 are now cancelled. Reconsideration is requested.

The drawing is subject to objection for lacking plain and legible reference characters. Replacement sheets of Figures 44-are submitted with this response.

The specification is subject to objection based on informalities in the abstract. The abstract is currently amended in accordance with the examiner's suggestion.

Claims 1 and 6 are subject to objection based on informalities. Applicant submits that claims 1 and 6 as currently amended no longer include informalities.

Claim 6 is rejected for double-patenting based on claim 1 of U.S. 6,636,337. A terminal disclaimer is submitted with this response to overcome the rejection.

Applicant requests that Erik V. Johnson be removed from the list of inventors. Mr. Johnson is believed to have contributed to claims 2 and 5. Since claims 2 and 5 are now cancelled, Applicant wishes to correct the list of inventors to accurately reflect contribution to the remaining claims.

Claims 1, 3, 4, and 6 are rejected under 35 U.S.C. 102(a) as being anticipated by L. Brzozowski, E.H. Sargent, PHOTONIC CRYSTALS FOR INTEGRATED OPTICAL COMPUTING, Proc. SPIE, vol. 4089, June 18, 2000, pp. 786-789. In view of the removal of Erik V. Johnson as an inventor due to cancellation of claims 2 and 5, the Brzozowski reference is no longer prior art under 35 U.S.C. 102(a). In particular, the "known or used by others" requirement is not met because the list of authors of the cited reference matches the list of inventors of this application. Withdrawal of the rejection is therefore requested.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

June 17, 2008  
Date

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